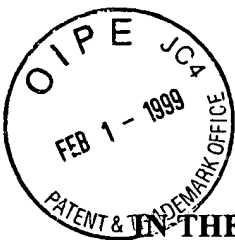


part of
#6



PATENT
ATTORNEY DOCKET NO.: 44525-5001-01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Philip E. SILKOFF et al.

Application No.: 08/827,703

Filed: April 9, 1997

For: METHOD AND APPARATUS
FOR THE MEASUREMENT OF
COMPONENTS OF EXHALED
BREATH IN HUMANS

Group Art Unit: 3735

Examiner: J. F. Weiss

Assistant Commissioner for Patents
Washington, D.C. 20231

RECEIVED

FEB 02 1999

TECHNOLOGY CENTER 3700

AMENDMENT TRANSMITTAL FORM

1. Transmitted herewith is an Amendment responding to the Office Action dated September 1, 1998.
2. Additional papers enclosed:
 - ☒ Terminal Disclaimer to Obviate a Double Patenting Rejection Over a Prior Patent
 - ☐ Drawings: ☐ Formal
 - ☐ Information Disclosure Statement
 - ☐ Form PTO-1449, ☐ references included
 - ☐ Citations
 - ☐ Declaration of Biological Deposit
 - ☐ Submission of "Sequence Listing", computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.

3. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136(a) apply.

☐ Applicants believe that no extension of time is required. However, this conditional petition is being made to provide for the possibility that Applicants have inadvertently overlooked the need for a petition and fee for extension of time.

☒ Applicants petition for an extension of time, the fees for which are set out in 37 CFR 1.17(a)-(d), for the total number of months checked below:

<u>Total Months Requested</u>	<u>Fee for Extension</u>	<u>[fee for Small Entity]</u>
<input type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input checked="" type="checkbox"/> two months	380.00	190.00
<input type="checkbox"/> three months	870.00	435.00
<input type="checkbox"/> four months	1,360.00	680.00

Extension of time fee due with this request: \$380.00

☒ If an additional extension of time is required, please consider this a Petition therefor.

☐ An extension for __ months has already been secured and the fee paid therefor of \$ ____ is deducted from the total fee due for the total months of extension now requested.

4. Fee Calculation

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims	23	minus	20	3	x \$ 18.00 each =	+ \$ 54.00
Independent Claims	2	minus	3	0	x \$ 78.00 each =	+ \$ 0.00
<input type="checkbox"/> First presentation of Multiple dependent claim(s)					\$ 260.00	+ \$ 0.00
SUBTOTAL						= \$ 54.00
Reduction by ½ for filing by a small entity						- \$ 0.00
TOTAL FEE						= \$ 54.00

5. Fee Payment

☐ No fee is to be paid at this time.

☒ The Commissioner is hereby authorized to charge the amounts of \$54.00 for additional claims; \$380.00 for a two-month extension of time; and, \$110.00 for the Terminal Disclaimer to Deposit Account No. 50-0310. The Commissioner is hereby authorized to charge any additional extension of time fee or additional fee for claims due to Deposit Account No. 50-0310.

☒ The Commissioner is hereby authorized to charge any fees including fees due under 37 CFR § 1.16 and § 1.17 which may be required, or credit any overpayment to Deposit Account 50-0310.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

Dated: February 1, 1999

By: Reid G. Adler
Reid G. Adler
Reg. No. 30,988

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